



May 10, 2010

Dr. Daniel Fogel, President
University of Vermont
344-353 Waterman Bldg.
Burlington, VT 05405

UPS Tracking #1Z A54 67Y 01 9067 9361

RE: Program Review Report
OPE ID: 00369600
PRCN: 200940127029

Dear Dr. Fogel:

From July 7, 2009 through July 9, 2009, Ms. Linda Shewack, Mr. Edward Buckley, and Mr. Mark Malbeouf conducted a review of University of Vermont's (UVM) administration of the programs authorized pursuant to Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 et seq. (Title IV, HEA programs). The findings of that review are presented in the enclosed report.

Findings of noncompliance are referenced to the applicable statutes and regulations and specify the action required to comply with the statute and regulations. Please review the report and respond to each finding, indicating the corrective actions taken by UVM. The response should include a brief, written narrative for each finding that clearly states UVM's position regarding the finding and the corrective action taken to resolve the finding. Separate from the written narrative, UVM must provide supporting documentation as required in each finding.

Please note that pursuant to HEA section 498A(b), the Department is required to:

- (1) provide to the institution an adequate opportunity to review and respond to any preliminary program review report¹ and relevant materials related to the report before any final program review report is issued;
- (2) review and take into consideration an institution's response in any final program review report or audit determination, and include in the report or determination –
 - a. A written statement addressing the institution's response;
 - b. A written statement of the basis for such report or determination; and

¹ A "preliminary" program review report is the program review report. The Department's final program review report is the Final Program Review Determination (FPRD).

Federal Student Aid, School Participation Team -- Boston
5 Post Office Sq., Suite 900
Boston, MA 02109-3921
www.FederalStudentAid.ed.gov

- c. A copy of the institution's response.

The Department considers the institution's response to be the written narrative (to include e-mail communication). Any supporting documentation submitted with the institution's written response will not be attached to the FPRD. However, it will be retained and available for inspection by UVM upon request. Copies of the program review report, the institution's response, and any supporting documentation may be subject to release under the Freedom of Information Act (FOIA) and can be provided to other oversight entities after the FPRD is issued.

The institution's response should be sent directly to Linda Shewack of this office within 30 calendar days of receipt of this letter.

Record Retention:

Program records relating to the period covered by the program review must be retained until the later of: resolution of the loans, claims, or expenditures questioned in the program review; or the end of the retention period otherwise applicable to the record under 34 C.F.R. § 668.24(e).

We would like to express our appreciation for the courtesy and cooperation extended during the review. Please refer to the above Program Review Control Number (PRCN) in all correspondence relating to this report. If you have any questions concerning this report, please contact Linda Shewack at 202-377-4071 or Linda.Shewack@ed.gov.

Sincerely,


Ms. Betty Coughlin,
Area Case Director, Boston

cc: Ms. Lianne Tuomey, Chief, UVM Police Services
Ms. Lucy Singer, Senior Associate General Counsel

Enclosure:
Preliminary Program Review Report

Prepared for

University of Vermont



START HERE
GO FURTHER
FEDERAL STUDENT AID

OPE ID: 00369600

PRCN: 2009 4 01 27029

Prepared by

U.S. Department of Education

Federal Student Aid

Program Review Report

May 10, 2010

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A. Institutional Information

**University of Vermont
Waterman Bldg.
Burlington, VT 05405**

Type: Public

Highest Level of Offering: Master/ Doctoral Degree

Accrediting Agency: New England Association of Schools and Colleges

Current Student Enrollment: 12,239 (2007-2008)

% of Students Receiving Title IV: 74

**Title IV Participation, Per U.S. Department of Education Data Base
(Postsecondary Education Participants System):**

2007/2008 Award Year

Federal Pell Grant	\$ 4,385,634
Federal Supplemental Educational Opportunity Grant (FSEOG)	\$ 1,810,617
Federal Work Study (FWS)	\$ 2,126,153
Federal Perkins Loan Program (Perkins)	\$ 1,815,460
Federal Family Education Loan Program (FFEL)	\$67,254,771

Default Rate FFEL/DL:	2007	1.9%
	2006	.8%
	2005	.6%

Default Rate Perkins:	2007	2.9%
	2006	2.8%
	2005	3.0%

Located in Burlington, VT the University of Vermont (UVM; the University) comprises seven undergraduate schools, an honors college, a graduate college, and a college of medicine. The UVM Police Services (UVMPS) has 20 sworn police officers who are commissioned law enforcement officers pursuant to 16 VSA 2283. The UVMPS has officers on duty 24-hours a day seven days a week, and their jurisdictional authority is state-wide.

B. Scope of Review

The U.S. Department of Education (the Department; ED) conducted a program review at the University of Vermont from July 7-10, 2009. The review was conducted by Ms. Linda Shewack, Mr. Edward Buckley, and Mr. Mark Malboeuf.

The focus of the review was to evaluate UVM's compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act is included in §485(f) of the Higher Education Act of 1965, as amended (HEA), 20 U.S.C. §1092(f). The Department's implementing regulations are at 34 C.F.R. §§668.41-668.46. UVM was selected from a sample of institutions of higher education with sworn police departments and was not the result of any specific complaint or allegation of non-compliance. The review consisted of an examination of UVM's police incident reports, arrest records, and disciplinary files as well as policies and procedures related to the Clery Act. Staff interviews were also conducted.

The Department's program review coincided with the Quality Assurance Review (QAR) that the Federal Bureau of Investigation (FBI)'s Criminal Justice Information Service (CJIS) Audit Unit conducted at UVM. The U.S. Department of Education is partnering with the CJIS Audit Unit (CAU) to ensure accurate crime reporting on America's college campuses. The CAU reviews law enforcement agencies' reporting practices, and audits crime statistics that are reported by the states through their participation in the Uniform Crime Reporting (UCR) program. The results of the QAR are shared with the Department for a comparative analysis of the annual security report data received from participating postsecondary institutions. The CAU reviewed a total of 81 Part I Offenses and 28 Part II Offenses that were recorded from January 1, 2008 through December 31, 2008. A copy of the CJIS report is attached as Appendix A.

The Department reviewed a sample of 105 campus police incident and arrest reports and 34 disciplinary reports for calendar year 2007. The files were selected randomly from a list of all incidents of crime reported to the UVMPS or other campus security authority and from a listing of all arrests and disciplinary referrals for law violations involving alcohol, illegal drugs, illegal usage of controlled substances, and weapons offenses during the same calendar year. Approximately 105 incidents were cross-checked against the daily crime log to ensure that crimes occurring within the patrol jurisdiction were entered properly on the log as required.

Disclaimer:

Although the review was thorough, it cannot be assumed to be all-inclusive. The absence of statements in the report concerning UVM's specific practices and procedures must not be construed as acceptance, approval, or endorsement of those specific practices and procedures. Furthermore, it does not relieve UVM of its obligation to comply with all of the statutory or regulatory provisions governing the Title IV, HEA programs.

While this report reflects the initial findings of the Department, they are not final. The Department will issue a Final Program Review Determination Letter at a later date.

With regard to the discrepancies noted the QAR, the exit briefing packet provided by the CAU in its exit briefing addressed the finding(s) and UVMPS's compliance with the UCR guidelines. Unless specified in Section C of this report, no further action is required as it relates to the QAR.

C. Findings

During the review, the following areas of noncompliance were noted. Findings of noncompliance are referenced to the applicable statutes and regulations and specify the actions to be taken by UVM to bring campus crime reporting policies and procedures into compliance with the statutes and regulations.

Finding # 1: Inaccurate Reporting of Crime Statistics

Citation:

The Clery Act and the Department's regulations require institutions participating in the Federal student financial aid programs under Title IV of the HEA must compile and publish statistics concerning the occurrence on campus of the following incidents: homicide, manslaughter, forcible and non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. In addition, the institution is required to disclose arrests and disciplinary actions related to violations of Federal or State drug, liquor and weapons laws. 34 C.F.R. § 668.46(c)(1). An institution is not required to report statistics under paragraphs (c)(1) and (3) of §668.46 when the crime is reported to a professional counselor 34 C.F.R. § 668.46(c)(6), a professional counselor is defined as "a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification." 34 C.F.R. § 668.46(a).

Noncompliance:

UVM did not include all reported sex offenses in the crime statistics it reported to the Department for the 2007 calendar year. UVM included 20 sex offenses that were supposedly reported anonymously by the victims under the heading "Sexual Assault-anonymous" in its annual security report entitled "Public Safety at the University of Vermont." Specifically, the offenses were reported under the heading Sex Offenses-Nonforcible, Sexual Assaults (anonymous). In addition, two forcible sexual assaults were included under the Sex Offenses -Forcible heading. However, UVM only reported the two forcible sex offenses to the Department. UVM did not include in its report to the Department the 20 additionally anonymously reported sex offenses. While the University may include a caveat in its crime report to indicate that sex offenses have been reported anonymously, the 20 anonymously reported sex offenses should have been reported to the Department in addition to the two that UVM did report. Also, UVM should have

determined whether these anonymously reported offenses were non-forcible or forcible so that they could be categorized correctly.

All 20 of these reports were made to the Women's Center, which is not staffed by professionally licensed mental health counselors. While the staff at the center provides assistance and support to victims of sexual offenses, they are not licensed counselors providing mental health services within the scope of a license or certification. Thus, reports made to the center would not fall under the exemption for professional counselors.

Students are directed to view the campus security statistics either on the University's web site or on the Department's site. While persons accessing the statistics via UVM's web site saw that 20 "anonymous" assaults occurred on campus, the manner in which the statistic is reported is not clear regarding whether the assault was forcible or non-forcible. Persons accessing the statistics on the Department's website would have had no information regarding these assaults at all.

Failure to classify and disclose incidents of crime reported in an accurate and complete manner violates the HEA and the Department's regulations and deprives the campus community and the public of important security information.

As noted in Section B - Scope, this program review was planned and conducted as part of our partnership with the FBI's CJIS Audit Unit. The CAU identified 4 instances of underreported and one instance of inaccurate offense/definition classification in the 81 Part I Offenses reviewed from calendar year 2008. (See Appendix A for the full report prepared by the CAU). UVM was encouraged, but not required by the CAU in its exit briefing, to correct the discrepancies noted in the QAR. Furthermore, since none of the noted discrepancies were offenses that would have been reported to the Department for Clery Act purposes for calendar year 2008, no further action is required by ED.

Required Action:

The Clery Act requires institutions to report accurate statistics regarding campus crime and referrals for liquor, drug, and weapons violations. UVM must enter crime statistics correctly when reporting to the Department's OPE crime statistics web site. Incorrect reporting to the Department results in inaccurate information being provided to prospective and current students, parents, and employees when researching campus crime information via the Department's web page. Further, UVM must develop procedures to ensure that correct information is reported to the Department from the data it has compiled. It must also determine which campus security authorities meet the exemption for professional counselors under 34 C.F.R. § 668.46(a) so that staff members know who is required to report crimes and who may report them voluntarily. A copy of these procedures must be submitted in response to this report.

Finding #2: Crime Log Deficiencies

Citation:

An institution that maintains a campus police or a campus security department must maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on campus, on a noncampus building or property, on public property, or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or the campus security department. The log must include –

- (i) The nature, date, time, and general location of each crime; and
- (ii) The disposition of the complaint, if known. 34 C.F.R. § 668.46(f)(1).

Noncompliance:

After reviewing the crime log for calendar year 2007 and cross referencing the list of burglaries included in the crime statistics reported to Department, it was determined that one burglary listed on the crime log was not listed on the crime statistics reported to the Department. Also, it appeared that, in some cases, the crime log may not have been updated with current information regarding the disposition of the incident. The crime log lists 18 crimes that remain open incidents listed as larcenies though they were included in the burglaries that UVM reported to the Department. Additionally, 3 incidents that remained coded as closed "suspicious events" in the crime log were also on the school's list of burglaries reported to the Department. (See Appendix B for a listing of the incident report numbers which are provided for informational purposes only).

Required Action:

To ensure that UVM can report correct statistics, UVM must develop a means of compiling and recording the data so that a proper audit trail is established. Without a proper audit trail, an institution cannot demonstrate that it has accurately reported its statistics. Also, UVM must update the crime log with the disposition of crimes, if known, within 2 days. UVM is not required to update the crime log if the change in disposition occurs after 60 days has passed (*See the Handbook for Campus Crime Reporting, pg. 70*). UVM must develop procedures for compiling its crime statistics and to ensure that updates are made to the crime log if the disposition is known within the 60 day timeframe. Those procedures must be included in UVM's response to this report.

Finding #3: Insufficient Information Regarding Timely Warning

Citation:

Federal regulations stipulate that an institution must include in its annual security report, policies for making timely warning reports to members of the campus community

regarding the occurrence of crimes described in paragraph 34 C.F.R. §668.46(c)(1). 668.46(b)(2)(i).

Noncompliance:

UVM's timely warning policy in its 2008-2009 annual security report is insufficient. The report mentioned that timely warnings may be made; however, it does not describe the mode of communication in which those warnings will be made in the case of an imminent threat.

During the review, institutional officials indicated that UVM does have procedures to utilize the email system to issue an email blast in the case of an imminent threat. However, this information is not included in the campus security report.

Required Action:

The University must include information in its annual security report that outlines all modes of communication that will be used to alert the campus community of any imminent threats should a timely warning be necessary. A copy of the updated timely warning information must be included with the institution's response to this report.

We recommend that the University consider moving the timely warning information out of the "Off-Campus Crime" section where it is currently and place it under its own heading to make the information more visible to readers.

Finding #4: Sexual Assault Policy Insufficient

Citation:

Federal regulations require that institutions participating in Title IV, HEA federal aid programs must publish and distribute an annual security report that discloses campus security policies as well as crime statistics for the last three years. 34 C.F.R. § 668.46. The report must include the following information:

- (1) Procedures for campus disciplinary actions in the case of an alleged sexual assault to include a clear statement that both the accuser and the accused have the opportunity to have others present during a disciplinary proceeding. 34 C.F.R. § 668.46(b)(11)(vi)(A);

Noncompliance:

UVM's procedures for a disciplinary action involving an alleged sexual offense do not include a statement that the accused, as well as the accuser, has the opportunity to have others present during the disciplinary proceedings. This statement is included in UVM's *Student Handbook for Policies and Conduct*, but it must also be included in the campus crime report.

Required action:

This statement must be included in UVM's annual campus security report or any information referred to in the security report that informs students of the disciplinary actions in a hearing or disciplinary action involving an alleged sexual offense. UVM must submit a copy of this statement with the institution's response to this report.

Finding # 5: Failure to Distribute the Campus Security Report (CSR) in Accordance with Federal Regulations

Citation:

The Department's regulations require institutions to provide the CSR to all current students and employees through appropriate publications and mailing. Acceptable means of delivery include regular U.S. Mail, hand delivery, or campus mail distribution to each individual or posting on the institution's Internet site. If an institution chooses to distribute its report by posting to an internet or intranet site, the institution must, by October 1 of each year, distribute a notice to all students and employees that includes a statement of the report's availability and its exact electronic address, a description of its contents, as well as a statement that a paper copy will be provided upon request. *34 CFR § 668.41 (e)*.

Noncompliance:

UVM failed to distribute its 2008 campus crime report in accordance with the Department's regulations. Although UVM met the requirement that it publish its annual security report by October 1, the email sent on September 29, 2008 to inform the campus community that the report was available did not include the exact URL where the report was located. It specified only the general Police Department web address.

Required Action:

UVM must include the exact URL address for the annual security report in its notification to students and employees.

Please submit the institutional response to the School Participation Team at the following address:

ATTN: Linda Shewack
U.S. Department of Education
Federal Student Aid PC/SEC
830 First St., N.E. - UPC Rm. 74B1
Washington, D.C. 20202

Based on an evaluation of all available information including the institution's response, the team will determine appropriate additional actions and advise the University of those actions in the Final Program Review Determination letter.

One primary purpose of these requirements is to ensure that the campus security report due by October 1, 2010 is prepared and distributed in accordance with all Clery Act requirements.

Questions and requests for recommendations and technical assistance should be directed to the review team. UVM may wish to review the Department's Handbook for Campus Crime Reporting available online at www.ed.gov/admins/lead/safety/handbook.pdf

Appendix A



IBR Exit Briefing Local Agency Review

University Of Vermont Police
Department



Quality Assurance Review

*Shared Management
Shared Responsibility
Shared Success*

A Partnership in Criminal Justice

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Local Agency Review Process

To adequately conduct a state Uniform Crime Reporting (UCR) Program Quality Assurance Review (QAR), the CJIS Audit Unit (CAU) reviews local agencies that contribute to the national Program through their respective state Programs. This helps evaluate the crime reports as they relate to data submission to the national UCR Program via the state UCR Program. The CAU staff contact these agencies through a designated Point of Contact (POC) approximately 45 days prior to the scheduled Review to gather information regarding the flow of reports from the time an incident is reported, to its classification, scoring, and submission to the national UCR Program. During the initial contact call, the auditors discuss logistics pertaining to the on-site Review with the agency POC and make preliminary plans regarding the Review. The CAU staff then follows up with written confirmation of the scheduled QAR to the Chief/Sheriff and UCR POC that will give general information concerning the QAR process.

The local agency QAR consists of three phases:

- Administrative Interview
- Data Quality Review
- Exit Briefing

Administrative Interview

During the administrative interview, CAU staff learn how an agency manages crime reports and whether the data submitted to the national UCR Program comply with national definitions and guidelines or, if not, how the data are converted to national UCR Program standards prior to submission to the national UCR Program.

The interview is based on the agency's policies and procedures concerning the national UCR Program's standards, definitions and information requirements. Topics covered during the interview include:

- Duties and responsibilities of the UCR POC
- Records management system
- Routing Process
- Classification and Scoring
- Arrests
- Clearances
- Jurisdiction
- Property Values
- Offenders
- Hate Crime
- Law Enforcement Officers Killed or Assaulted (LEOKA)
- Updating/Quality Assurance
- State Program Services

Data Quality Review

During the data quality review, the CAU staff reviews a predetermined number of Group A and Group B incidents based on a statistical sampling method used at the state level. Record counts are distributed to agencies based on their Return A record counts. Case files, including the officer's narrative and supplemental information, are then compared to data reported to the national UCR Program to determine if national standards and definitions were appropriately applied. The CAU staff then determine if these offenses were appropriately classified into the Group A and Group B offense categories for NIBRS reporting as defined by the national UCR Program. Additionally, the CAU staff reviews incidents to ensure Arrests, Hate Crimes, LEOKA, arrestee, victim, offender, property, etc., data are reported according to the national standards and definitions for NIBRS.

Overreported, underreported and inaccurate discrepancies can be scored for data elements within Group A incidents. CAU staff compare agency documentation with a NIBRS printout that encompasses the 56 data elements and note the following discrepancy categories:

- Overreported - Information reported was not documented in the case file.
- Underreported - Additional information is available in the case file and was not reported.
- Inaccurate - Information reported did not match the case report.

Discrepancies are documented for evaluation and discussion with local agency personnel and/or the state UCR Program manager.

Exit Briefing

The CAU staff provides an exit briefing packet to the local agency that summarizes the findings based on the administrative interview and the data quality review. The exit briefing packet contains a brief description of all the topics covered during the administrative interview and documents local agency compliance with UCR guidelines. During the exit briefing, the CAU staff will review/discuss each of the discrepancies with the local agency UCR Point of Contact to verify the auditor's findings. The CAU staff will answer any questions the agency may have.

Data Quality Results - Group A

The data quality portion of this QAR will help assess the state concerning conformance to policy, definitions and information requirements. Requirement One, NIBRS handbook page 2 "The state Program must conform to the national UCR Program's standards definitions and information requirements."

Month(s) Reviewed: Jan to Dec 2008

Total Group A Offenses Reviewed: 81

Offense / Definition Classification

Indicates data element 6 (UCR Offense Code) data element 15 (MVT only) and data element 23 (Crimes Against Person only).

Overreported

Underreported

Inaccurate

Information Requirements

Indicates all data elements EXCEPT data element 6 (UCR offense code) data element 15 (MVT only) and data element 23 (Crimes Against Person only).

Overreported

Underreported

Inaccurate

Total Group A Discrepancies:

LEOKA

Overreported

Underreported

Hate Crime

Total Hate Crime Reviewed: _____

Overreported

Underreported

Inaccurate

Inaccurate from Data Element 8A

Data Quality Results - Group B

The data quality portion of this QAR will help assess the state concerning conformance to policy, definitions and information requirements. Requirement One, NIBRS handbook page 2 "The state Program must conform to the national UCR Program's standards definitions and information requirements."

Month(s)
Reviewed: Jan to Dec 2008

Total Group B
Records Reviewed: 28

Information Requirements

Indicates all data elements EXCEPT
data element 6 (UCR offense code)

Overreported 0

Underreported 1^N 10

Inaccurate 3

Total Group B Discrepancies: 4

*Indicates underreported Group A offenses found in Group B Arrest reports.

Data Quality Results - Group A

	Overreported		Underreported		Inaccurate	
1. ORI Number	0		0		0	0
2. Incident Number	0		0		0	0
3. Incident Date / Hour	0		0		0	0
4. Cleared Exceptionally	0		0		0	0
5. Ex. Clearance Rate	0		0		0	0
7. Attempted / Completed	0		0		0	0
8. Suspected of Being	0		0		0	0
9A. Bias Motivation	0		0		0	0
9. Location Type	0		0		0	0
10. Premises Entered	0		0		0	0
11. Method of Entry	0		0		0	0
12. Criminal Activity	0		0		0	0
13. Weapon / Force	0		0		0	0
14. Property Loss	0		0		0	0
15. Property Description	0		8		2	10
16. Property Value	0		0		0	0
17. Data Recovered	0		0		0	0
18. Stolen MV	0		0		0	0
19. Recovered MV	0		0		0	0
20. Suspected Drug Type	0		0		1	1
21. Est. Drug Quantity	0		0		1	1
22. Drug Measurement	0		0		0	0
23. Victim Number	0	0	0	0	0	0
24. Victim OCR Code	0		0		1	1
25. Type of Victim	0		0		2	2
25A. Type of Activity	0		0		0	0
25B. Assignment Type	0		0		0	0
25C. ORI Jurisdiction	0		0		0	0
26. Age of Victim	0		0		0	0
27. Sex of Victim	0		0		0	0
28. Race of Victim	0		0		0	0
29. Ethnicity of Victim	0		0		0	0
30. Res. Status of Victim	0		0		0	0
31. App. Assault Circum.	0		0		0	0
32. Just. Mort. Circum.	0		0		0	0
33. Type of Injury	0		0		0	0
34. Related Off. Number	0		0		0	0
35. Relationship of Victim	0		0		0	0
36. Offender Number	0		1		1	2
37. Age of Offender	0		0		1	1
38. Sex of Offender	0		0		1	1
39. Race of Offender	0		0		1	1
40. Arrestee Number	0		1		0	1
41. Arrest Number	0		0		0	0
42. Arrest Date	0		0		0	0
43. Type of Arrest	0		0		0	0
44. Multiple Arrest	0		0		0	0
45. OCR Arrest Code	0		0		0	0
46. Armed With	0		0		0	0
47. Age of Arrestee	0		0		0	0
48. Sex of Arrestee	0		0		0	0
49. Race of Arrestee	0		0		0	0
50. Ethnicity of Arrestee	0		0		0	0
51. Res. Status of Arrestee	0		0		0	0
52. Disposition of Juvenile	0		0		0	0
Totals	0		10		11	

6. UCR Offense Code

OVERREPORTED	0
UNDERREPORTED	4
INACCURATE	1
TOTAL	5

AGENCY:

University Of Vermont
Police Department

ORI:

VT0041100

DATE:

NOTE:

Overreported and Underreported errors found in data elements 1,6,14,15,23,34 and 40 would result in additional errors.

Data Quality Results - Group B

	Overreported	Underreported	Inaccurate	
40. Arrestee Number	0	0	0	0
41. Arrest Number	0	0	0	0
42. Arrest Date	0	0	0	0
43. Type of Arrest	0	0	0	0
45. UCR Arrest Code	0	0	3	3
46. Arrested With	0	0	0	0
47. Age of Arrestee	0	0	0	0
48. Sex of Arrestee	0	0	0	0
49. Race of Arrestee	0	0	0	0
50. Ethnicity of Arrestee	0	0	0	0
51. Res. Status of Arrestee	0	0	0	0
52. Disposition of Juvenile	0	0	0	0
Totals	0	0	3	

Underreported Group A offenses found in Group B Arrest Reports

1

AGENCY:

University Of Vermont
Police Department

ORI:

VT0041100

DATE:

NOTE:
Overreported and
Underreported errors
found in data element
40 would result in
additional errors.

Administrative Interview Results

The administrative interview portion of this QAR will help assess the state concerning conformance to policy, definitions and information requirements. Requirement One, NIBRS handbook page 2 "The state Program must conform to the national UCR Program's standards definitions and information requirements."

Scoring

1. For counting purposes, the agency:

- a. Counts one offense for each victim of a "Crime Against Persons" (UCR Handbook, NIBRS Edition, 1992, p. 29)

Meets UCR Guidelines

- b. Counts one offense for each distinct operation or attempt for "Crime Against Property" except motor vehicle theft, where one offense is counted for each stolen vehicle. (UCR Handbook, NIBRS Edition, 1992, p.29)

Meets UCR Guidelines

- c. Counts one offense for each "Crime Against Society" (UCR Handbook, NIBRS Edition, 1992, p.29)

Meets UCR Guidelines

Comments:

Arrests

2. "Arrestee data is to be reported for all persons apprehended for the commission of Group A or Group B Crimes (except Justifiable Homicide). The arrestee data to be reported describes the arrestee (e.g., his/her age, sex, race, etc.) and the circumstances of the arrest." (UCR Handbook, NIBRS Edition, 1992, p. 55)

Meets UCR Guidelines

Comments:

Clearances

3. In order to clear an offense by exceptional means, each of the following four conditions must be met:

(UCR Handbook, NIBRS Edition, 1992, p. 34)

1. ☐ "The investigation must have clearly and definitely established the identity of at least one offender."
2. ☐ "Sufficient probable cause must have been developed to support the arrest, charging, and prosecution of the offender."
3. ☐ "The exact location of the offender must be known so that an arrest could be made."
4. ☐ "There must be a reason outside the control of law enforcement which prevents the arrest."

Meets UCR Guidelines

4. "The administrative closing of a case or the "clearing" of it by departmental policy does not permit exceptionally clearing an offense." (UCR Handbook, NIBRS Edition, 1992, p. 34))

Meets UCR Guidelines

Comments:

Jurisdiction

5. "To be certain that data is not reported more than once by overlapping jurisdictions:" (UCR Handbook, NIBRS Edition, 1992, p. 6)

- a. "Agencies report only those offenses committed within the . . . boundaries. . ."

Meets UCR Guidelines

b. "The recovery of property is reported only by the agency that first reported it missing and/or stolen, regardless of who or what agency recovered it." (UCR Handbook, NIBRS Edition, 1992, p. 6).

Meets UCR Guidelines

c. "Agencies report only those arrests made for offenses committed within their own boundaries/jurisdictions." (UCR Handbook, NIBRS Edition, 1992, p. 6)

Meets UCR Guidelines

Comments:

Property Values

6. "Property information is to be submitted separately for each type of property loss. . ." (UCR Handbook, NIBRS Edition, 1992, p. 41)

Meets UCR Guidelines

7. Agency considers the following guidelines in the evaluation of property: (UCR Handbook, NIBRS Edition, 1992, p. 43 - 44)

- a. ☐ "Use fair market value..."
- b. ☐ "Use cost to the merchant (wholesale cost)..."
- c. ☐ "Use victim's evaluation..."
- d. ☐ "Use replacement cost or actual cash cost..."
- e. ☐ "When the victim obviously exaggerates the value of stolen/destroyed/damaged property for insurance or other purposes, common sense and good judgment will dictate a fair market value to be placed on the stolen items by law enforcement."

Meets UCR Guidelines

8. "The theft of nonnegotiable instruments such as traveler's checks, personal checks, money orders, stocks, bonds, food stamps, etc., should be scored but no value recorded." (UCR Handbook, NIBRS Edition, 1992, p. 44) "Nonnegotiable instruments, documents requiring further action to become negotiable, e.g., unendorsed checks and unendorsed money orders..." (NIBRS, Volume 1: Data Collection Guidelines, 2000, p. 84)

Meets UCR Guidelines

9. "If the value is unknown, one dollar (\$1.00) which means unknown, i.e., 1=Unknown should be entered." (NIBRS, Volume 1: Data Collection Guidelines, 2000, p. 86)

Meets UCR Guidelines

10. "...in order to obtain some measure of the drug problem, the 'estimated quantity' of seized drugs or narcotics is to be reported." (UCR Handbook, NIBRS Edition, 1992, p. 45)

Meets UCR Guidelines

11. "...when drugs are involved in other types of crime (e.g., they were stolen in a burglary or burned in an arson) their value is to be reported" (UCR Handbook, NIBRS Edition, 1992, p. 43)

Meets UCR Guidelines

Administrative Interview Results

Offenders

12. "Offender data include characteristics (age, sex, and race) of each offender (up to 99) involved in a crime incident whether or not an arrest has been made." (UCR Handbook, NIBRS Edition, 1992, p. 53)

Meets UCR Guidelines

Comments:

Y

Hate Crime

13. "The types of bias to be reported to the FBI's UCR Program are limited to those mandated by the enabling Act and its subsequent amendments, i.e., bias based on race, religion, disability, sexual orientation, or ethnicity." (UCR , Hate Crime Data Collection Guidelines, Revised October 1999, p. 2)

Meets UCR Guidelines

14. "Incidents which do not involve any facts indicating biased motivation on the part of the offender are to be reported as None" (88) (UCR Handbook, NIBRS Edition, 1992, p. 38)

Meets UCR Guidelines

15. "Incidents involving ambiguous facts (i.e., where some facts are present but are not conclusive) are to be reported as Unknown" (99) (UCR Handbook, NIBRS Edition, 1992, p. 38)

Meets UCR Guidelines

Comments:

Law Enforcement Officers Killed or Assaulted (LEOKA)

*Any questions regarding LEOKA, call CSMU 5-4831.
(UCR Handbook, NIBRS Edition, 1992, p. 61 - 65)*

16. "The form entitled 'Law Enforcement Officers Killed or Assaulted' (LEOKA) is to be used by agencies to report line-of-duty felonious or accidental killings of and assaults on sworn law enforcement officers." (UCR Handbook, NIBRS Edition, 1992, p. 61)

Meets UCR Guidelines

17. "Officers Killed" relates to sworn officers with full arrest powers killed in the line of duty. The number of officers slain by felonious acts and those killed by accident or negligence should be entered (on this form, LEOKA)." (UCR Handbook, NIBRS Edition, 1992, p. 61)

Meets UCR Guidelines

18. "All assaults on officers with or without injuries should be included on this form (LEOKA)." (UCR Handbook, NIBRS Edition, 1992, p. 63)

Meets UCR Guidelines

Comments:

Updating / Quality Assurance

19. "Updated information is to be reported to the national program on discovery of an additional unreported offense, victim, and/or offender; a subsequent arrest or exceptional clearance; discovery of a significant amount of unreported property loss; the recovery of stolen property; or the incorrect entry of important data, such as the offense code, the victim's or arrestee's sex or race, etc." (NIBRS Volume 1: Data Collection Guidelines, 2000, p. 18)

Meets UCR Guidelines

Comments:

Administrative Interview Results

State Program Services

20. Submission frequency:

Monthly

Comments:

Appendix B

Appendix B

Finding #2:

18 incidents remaining "open" in the crime log, coded as larcenies, but included in UVM's crime statistics as burglaries:

#229
#278
#512
#558
#805
#1266
#1646
#1899
#2005
#2389
#2782
#3003
#3112
#4738
#4770
#4823
#4917
#5083

3 incidents coded as closed in the crime log, classified as "suspicious events" but included in UVM's crime statistics as burglaries:

#1968
#2003
#3489

Burglary listed in the audit trail but not listed in the crime log:

#4378